

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JOY TABERNACLE - THE NEW  
TESTAMENT CHURCH,

Plaintiff,

USDC Case No. 2:13-cv-11650  
Hon.

v

STATE FARM FIRE AND CASUALTY  
COMPANY,

Defendant.

GCCC Case No. 13-100098-CK  
Hon. Judith A. Fullerton

JO ROBIN DAVIS (P31263)  
JO ROBIN DAVIS, PLLC  
Attorneys for the Plaintiff  
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(248) 932-0100 ext. 254

CARY R. BERLIN (P64122)  
PAUL H. JOHNSON, JR. (P  
Attorneys for Defendant  
27777 Franklin Road, Suite 1400  
Southfield, Michigan 48034  
(248) 356-8590

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**STATE FARM'S NOTICE OF REMOVAL**

The Defendant, State Farm Fire and Casualty Company ("State Farm"), through its attorneys, Patrick, Johnson & Mott, P.C., removes the above action from the Genesee County Circuit Court to this Court, pursuant to 28 U.S.C. § 1446, based upon the following grounds:

1. The above action was filed in the Circuit Court for the County of Genesee, State of Michigan [Docket No. 13-100098-CK] and is now pending in that court. Process, including a summons and complaint, was served upon State Farm on March 29, 2013, and copies of all process and pleadings served upon State Farm are attached as **Exhibit "A."**
2. State Farm is now, and was at the time of the commencement of this action, a corporation organized and existing under the laws of the State of Illinois, having its principal place

of business located in the City of Bloomington, State of Illinois. State Farm is, therefore, a resident of the State of Illinois and is not a citizen or corporation of the State of Michigan.

3. The Plaintiff is now, and was at the time of the commencement of this action, a corporation organized and existing under the laws of the State of Michigan, having its principal place of business located in the City of Flint, State of Michigan. Plaintiff is, therefore, a resident of the State of Michigan and is not a citizen or corporation of the State of Illinois (Corporate filings with the State of Michigan, **Exhibit “B”**).

4. A controversy exists between State Farm and the Plaintiff, and the amount of controversy in this action is no less than the sum of \$79,238.39, exclusive of interest and costs, as evidenced by State Farm’s estimate to repair the building that is the subject matter of this litigation (Estimate, **Exhibit “C”**).

5. This Court has original jurisdiction of the action due to the amount in controversy and diversity of citizenship, pursuant to 28 U.S.C. § 1332.

6. State Farm is entitled to remove the above action from Genesee County Circuit Court to this Court, pursuant to 28 U.S.C. § 1446(a).

Respectfully submitted,

**PATRICK, JOHNSON & MOTT, P.C.**

*s/ Cary R. Berlin*  
Attorneys for Defendant State Farm, Only  
27777 Franklin Road, Suite 1400  
Southfield, Michigan 48034  
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cberlin@pjmpc.com  
P64122

Date: April 12, 2013

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EASTERN DISTRICT OF MICHIGAN  
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**PROOF OF SERVICE**

The undersigned certifies that on **April 12, 2013**, my legal assistant Laura Martinico served copies of **State Farm's Notice of Removal and Proof of Service** upon:

Jo Robin Davis, Esq  
30300 Northwestern Highway, Ste. 104  
Farmington Hills, Michigan 48334  
(via e-mail and first class mail)

Genesee County Circuit Court  
900 S. Saginaw Street  
Flint, Michigan 48502  
(via first class mail)

I declare under penalty of perjury that the above statement is true to the best of my knowledge, information and belief.

Respectfully submitted,

**PATRICK, JOHNSON & MOTT, P.C.**

*s/Cary R. Berlin*  
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